

## MINUTES – DECEMBER 14, 2009

The Caswell County Board of Commissioners met in regular session at the Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, December 14, 2009. Members present: Jeremiah Jefferies, Chairman, George W. Ward, Jr., Vice-Chairman, Erik D. Battle, William E. Carter, Nathaniel Hall, Gordon G. Satterfield, and Kenneth D. Travis. Also present: Kevin B. Howard, County Manager and Angela Evans representing The Caswell Messenger. Wanda P. Smith, Clerk to the Board, recorded the minutes.

### CALL TO ORDER OF ORGANIZATIONAL MEETING

Ms. Wanda P. Smith, Clerk to the Board, called to order the organizational meeting of the Caswell County Board of Commissioners.

### ELECTION OF CHAIRMAN

The Clerk to the Board opened the floor for nominations for Chairman of the Caswell County Board of Commissioners.

Commissioner Travis moved, seconded by Commissioner Battle to nominate George W. Ward, Jr. as Chairman of the Caswell County Board of Commissioners.

Commissioner Jefferies moved, seconded by Commissioner Hall that nominations for Chairman be closed. The motion carried unanimously.

Commissioner Travis moved, seconded by Commissioner Battle to accept the nomination that Commissioner Ward be elected as Chairman of the Caswell County Board of Commissioners. The motion carried unanimously.

The Clerk to the Board announced that Commissioner Ward has been elected Chairman of the Caswell County Board of Commissioners.

Chairman Ward thanked Commissioner Jefferies for serving as Chairman of the Caswell County Board of Commissioners and presented him with the Chairman's gavel.

Chairman Ward thanked the Board for electing him as Chairman of the Caswell County Board of Commissioners.

Chairman Ward presided over the remainder of the meeting.

### ELECTION OF VICE-CHAIRMAN

Chairman Ward opened the floor for nominations for Vice-Chairman of the Caswell County Board of Commissioners.

Commissioner Jefferies moved, seconded by Commissioner Battle to nominate Kenneth D. Travis as Vice-Chairman of the Caswell County Board of Commissioners. The motion carried unanimously.

Commissioner Jefferies moved, seconded by Commissioner Hall that nominations for Vice-Chairman be closed. The motion carried unanimously.

Chairman Ward announced that by acclamation, Commissioner Travis was elected Vice-Chairman of the Caswell County Board of Commissioners.

#### APPROVAL OF BONDS FOR PUBLIC OFFICIALS

Commissioner Battle moved, seconded by Commissioner Travis to approve the following Bonds for Public Officials.

#### BONDS FOR PUBLIC OFFICIALS

Register of Deeds	\$ 25,000
Tax Collector	\$ 50,000
Delinquent Tax Collector	\$ 25,000
Sheriff	\$ 25,000
Finance Officer	\$100,000
County Coroner	\$ 2,000
Blanket Bond	\$ 20,000*

Commissioner Hall stated that every year he makes a comment that he feels that these bonds are too low and he continues to feel that they should be reviewed and updated.

Upon questioning from Chairman Ward, the County Manager answered that the amounts of the bonds are set at what State Statutes require.

Chairman Ward directed the County Manager to review the amounts of the bonds and report back to the Board at its next meeting.

Upon a vote of the motion, the motion carried unanimously.

#### CONCLUSION OF ORGANIZATIONAL MEETING

Chairman Ward announced the conclusion of the organizational meeting of the Caswell County Board of Commissioners.

#### MOMENT OF SILENT PRAYER

Chairman Ward held a Moment of Silent Prayer.

### APPROVAL OF AGENDA

Commissioner Jefferies stated that he would like to add to the agenda Request for Support of Replacement of Yarborough's Mill Road Bridge.

Commissioner Satterfield stated that he would like to add to that Request for Support of Replacement of Egypt Road Bridge.

Commissioner Travis moved, seconded by Commissioner Battle to approve the agenda as presented with the addition of Request for Support of Replacement of Yarborough's Mill Road and Egypt Road Bridges. The motion carried unanimously.

### APPROVAL OF CONSENT AGENDA

Commissioner Jefferies moved, seconded by Commissioner Battle to approve the Consent Agenda as presented. The motion carried unanimously.

The following items were included on the Consent Agenda:

- 1) Approval of Minutes of September 8 and 21, 2009 Meetings

### PUBLIC COMMENTS

Chairman Ward opened the floor for public comments.

Mr. Glen Dodson of Yanceyville came before the Board concerning a problem he has been having for the past two years with a dog that continues to come onto his property. Chairman Ward informed Mr. Dodson that the County Manager would contact him tomorrow morning and try to help him with his problem.

Upon questioning from Commissioner Hall, Mr. Howard answered that the County's Animal Control Officer enforces the County's Animal Control Ordinance in the Town of Yanceyville.

### DISCUSSION OF BOARDS AND COMMITTEES

Commissioner Satterfield requested that a Commissioner replace him on the Piedmont Emergency Medical Services Advisory Board due to it conflicting with his meetings of the Board of Health. Commissioner Jefferies volunteered to serve on the Piedmont Emergency Medical Services Advisory Board.

After discussion, Chairman Ward approved the following Commissioner appointments to Boards and Committees for the Year 2010.

## **BOARDS AND COMMITTEES**

**2010**

### **Chairman Ward**

Planning Committee for Services to the Elderly  
Juvenile Crime Prevention Council  
Recreation Commission  
NCACC Legislative Liaison  
Local Emergency Planning Committee

### **Vice-Chairman Travis**

Farmer Lake Board  
Social Services Board

### **Commissioner Battle**

Recreation Commission  
Planning Board  
E-911 Board  
Kerr-Tar Work Force Development Board  
\*Rural Planning Organization

### **Commissioner Carter**

Farmer Lake Board  
Library Board  
Caswell County Transportation Advisory Board

### **Commissioner Hall**

Piedmont Triad Council of Governments  
Caswell County Joint Nursing Home/Adult Care Home Community Advisory Committee  
\*Caswell County Partnership for Children  
\*Home Health Advisory Committee  
\*Human Relations Committee

### **Commissioner Jefferies**

Social Services Board  
Alamance-Caswell Area Mental Health Board  
Civic Center Committee  
Piedmont Emergency Medical Services Advisory Board

### **Commissioner Satterfield**

Board of Health  
Economic Development Board  
\*Piedmont Triad Partnership

### APPOINTMENT OF PTCOG DELEGATE

Commissioner Travis moved, seconded by Commissioner Jefferies to reappoint Commissioner Hall as the Board's delegate to the Piedmont Triad Council of Governments. The motion carried unanimously.

### TAX DIRECTOR'S QUARTERLY TAX FORECLOSURE REPORT

Mr. Thomas Bernard, Tax Director, came before the Board and presented the following Quarterly (July, August, and September) Foreclosure Report.

Foreclosure Process – All Files

2 accounts turned over to Attorney

1 parcel sold

17 accounts paid in full

22 accounts entered into payment plan

1 account came out of debt-setoff (this account was paid in full)

1 account entered into bankruptcy

314 files moving forward

Mr. Bernard reported that tax collections for the tax year 2009 is currently 3.34% ahead of last year's tax collection rate at this time.

### VEHICLE FOR FARMER LAKE

Mr. Charlie King, Farmer Lake Manager, came before the Board and reported that Farmer Lake consists of 370 acres and there are eight acres of shoreline. Mr. King stated that he normally works alone, with only one part-time worker. Mr. King informed the Board that he answers calls and complaints concerning the lake, and makes numerous after hours checks on the lake. Mr. King stated that he carries a large first-aid kit in the car, as well as communications equipment with the Sheriff's Office, fire department, and EMS, automatic emergency defibrillator, life jackets, and tools.

Mr. King presented the following three quotes for surplus vehicles from the North Carolina State Highway Patrol as possible vehicles for use at the lake.

2004 Crown Vic	98,000 miles	\$4,560
2005 Crown Vic	98,000 miles	\$5,035
2007 Crown Vic	98,000 miles	\$6,650

Upon questioning from Commissioner Battle as to whether a truck would be more appropriate and suitable on the lake than a car, Mr. King answered that he did not think so because the equipment he carries would be hard to put in a truck, and felt that a car would be more economical.

Chairman Ward stated that he agrees with the use of a truck at the lake and had questioned the County Manager about the camouflaged truck that is currently used in the Maintenance Department that could be left at the lake. Chairman Ward added that a lock box could be installed on the truck for the supplies. Chairman Ward stated that the surplus vehicles mentioned have 98,000 miles on them and he would rather see the Board purchase new vehicles for the Sheriff's Office and even possibly use one of the current Sheriff's vehicles for lake use. Chairman Ward noted that Mr. King could use the camouflaged truck temporarily until a decision is made on a permanent replacement.

Commissioner Carter stated that he worked with Mr. King in obtaining quotes for the surplus cars and all presented have been properly serviced and have belonged to Captains or Lieutenants rather than being patrol cars. Commissioner Carter added that the Sheriff's vehicles may have 150,000 to 200,000 miles on them.

Commissioner Satterfield stated that he tends to agree with Chairman Ward in that for the time being the County needs to try to utilize what it has and assign the camouflaged truck to the lake. Commissioner Satterfield added that if the lake is closed, the truck needs to be brought back to Yanceyville, or if needed, left at the lake. Commissioner Satterfield added that if a car is preferred, then the County could try to locate a nice car that would have good gas mileage.

Commissioner Travis questioned where the money would come from to buy a car. Mr. Howard answered that if approved, the expenditure could come from the Contingency line item. Commissioner Travis stated that purchase of a vehicle should be considered at budget time, not in the middle of the year.

After further discussion, Commissioner Jefferies moved, seconded by Commissioner Battle that the camouflaged truck in the Maintenance Department be utilized temporarily for Farmer Lake.

Commissioner Hall stated that if a truck is needed at Farmer Lake, then the Board needs to consider it at budget time and purchase a reliable vehicle.

Upon a vote of the motion, the motion carried by a vote of six to one with Commissioner Carter voting no.

#### CASWELL COUNTY HEALTH DEPARTMENT

Dr. Fred Moore, Health Director, came before the Board and requested the release of a Clinical Nurse position from the hiring freeze. After discussion, Commissioner Satterfield moved, seconded by Commissioner Jefferies to release a Clinical Nurse position from the hiring freeze. The motion carried unanimously.

#### LEST WE FORGET MONUMENT PLAQUE

Mr. Wally Ewalt came before the Board and provided a copy of what is inscribed on the plaque of the *Lest We Forget* monument. Mr. Ewalt then provided a copy of what is being proposed for

a new plaque which would include one list of the Caswell County veterans who participated in World War I in alphabetical order and delete the segregation of black and white veterans. Mr. Ewalt noted that the comments of Ms. Mary Kerr Spencer would remain. Mr. Ewalt informed the Board that the new plaque would cost approximately \$1,100 and it would cost \$200 to install the plaque.

Mr. Ewalt stated that he would be soliciting funds from individuals only and if enough money is not received to pay for the plaque, he and his wife would make up the difference. Mr. Ewalt noted that he is not requesting funds from businesses.

Mr. Ewalt informed the Board that the original plaque will be removed from the granite slab and it will be installed in the Caswell County Historical Association Museum for eternity. Mr. Ewalt stated that the new plaque would be installed without any fanfare.

Chairman Ward informed Mr. Ewalt that Commissioner Battle has also been working on this endeavor.

Commissioner Battle stated that he would like to be directly involved with Mr. Ewalt in working on this project.

Chairman Ward requested that Commissioner Battle and Mr. Ewalt work together on this project.

#### PARKING LOT – AGREEMENT WITH TOWN OF YANCEYVILLE

Mr. Kevin Howard, County Manager, presented a revised Agreement between Caswell County and the Town of Yanceyville regarding the use of the Yanceyville Municipal Services parking lot. Mr. Howard noted that the section referring to the County sharing in maintenance costs of the parking lot has been deleted from the Agreement.

Upon request, a memo from the Clerk to the Board was provided to the Board in which it was noted that the Caswell County Board of Commissioners at its meeting on May 6, 1996, voted to execute a deed conveying 1.24 acres of County property located on East Church Street, adjacent to Town Hall to the Town of Yanceyville for a parking lot. The Clerk to the Board also provided a copy of the Warranty Deed conveying this property and the minutes of the Board of Commissioners' meeting when this action was taken.

A memo to the County Manager from Clerk of Superior Court John Satterfield concerning the use of facility fees for a parking lease was provided to the Board.

Commissioner Hall stated that he has a problem with one municipality charging another municipality for public parking. Commissioner Hall added that in discussions with the County Manager, he has learned that there is a paved 20,000 sq. ft. parking lot next to the Department of Social Services and Health Department, a 4,700 sq. ft gravel parking lot, and these lots together would provide 76 parking spaces. Commissioner Hall noted that by redesigning the parking lots,

there could be 107 parking spaces available and did not feel that the Board should pay \$2,500 of taxpayers' dollars to another municipality just because they want money.

After further discussion, Commissioner Travis moved, seconded by Commissioner Battle to deny the request to enter into an Agreement with the Town of Yanceyville for 33 spaces at the Municipal Services parking lot at an annual cost of \$2,500, and to investigate refurbishing the County's current paved and gravel parking lots to create additional parking spaces.

Commissioner Jefferies stated that he felt the Board should lease the 33 spaces at the Municipal Services parking lot for one year because of the urgent need for public parking now, then the Board could refurbish its own parking lots.

Commissioner Carter stated that he agreed that until the County could refurbish its own parking lots, the Board should lease the parking spaces from the Town so that the parking problems can be alleviated now.

Commissioner Satterfield stated that with the Board considering building a Jail, which could change the layout of the governmental complex and parking lots, that they should consider entering into a Lease Agreement on a temporary basis with the Town of Yanceyville.

Commissioner Battle questioned the County Manager as to whether he has looked into options for alternate parking for Courthouse employees.

Upon questioning from Commissioner Battle as to whether the County Attorney reviewed the information from the Administrative Office of the Courts, Mr. Howard answered that the County Attorney has reviewed the information and agrees with its contents. Commissioner Battle stated that the response of Mr. Rick Kane of the North Carolina Administrative Office of the Courts was, "My opinion is that facilities fees may be used for the intended purpose of Courthouse parking," and it should be noted by the Board that this is an opinion, not the law.

Commissioner Hall noted that laws change every year and this year a new law was enacted that now requires that the County pay for all telephone bills for the court system, as well as bathroom supplies.

Upon a vote of the motion, the motion failed by a vote of four to three with Commissioners Ward, Carter, Jefferies, and Satterfield voting no.

After further discussion, Chairman Ward moved, seconded by Commissioner Jefferies that the County enter into a Lease Agreement with the Town of Yanceyville for use of 33 spaces at the Municipal Services parking lot through June 30, 2010, at a cost of \$1,250 to be appropriated from Court Facilities Fees, and during this time the County Manager is to obtain costs on restriping and making better use of the parking lots at the Department of Social Services and Health Department, and to also determine the outcome of the parking lot at Yanceyville Town Hall located on East Church Street as to whether it reverts to the County if the Town of Yanceyville leases its facility, and to bring this information back to the Board at its second meeting in January.

Commissioner Hall stated that there is ample parking next to Yanceyville Town Hall, the Department of Social Services, and Health Department and it seems to him that there is some motive other than good business sense to pay the Town for parking.

Chairman Ward confirmed that there is no motive on his part.

Commissioner Satterfield stated that there needs to be a clear understanding with the Town of Yanceyville that if it leases its Town Hall building, the parking lot will still be for public parking.

Upon a vote of the motion, the motion carried by a vote of four to three with Commissioners Battle, Hall, and Travis voting no.

#### OFFICE SPACE ALLOCATION AT THE FORMER SENIOR CENTER BUILDING

Commissioner Hall reported that the Building and Grounds Committee met at the former Senior Center building to assess the layout of the building and space available. Commissioner Hall stated that there are six or seven unused offices of various sizes and one large conference room. Commissioner Hall added that it is the Building and Grounds Committee's recommendation to offer the large conference room to Piedmont Community College to be used for their Law Enforcement training classes. Commissioner Hall noted that the large conference room is 20' x 42', has a bathroom and back door, therefore, when classes are in progress, the room could be closed off from the rest of the building.

Commissioner Hall stated that in regards to the remaining space, it is the Building and Grounds Committee's recommendation that the County Manager develop a space allocation plan for all other unused offices. Commissioner Hall added that this plan should identify and recommend space for the Board of Elections, Animal Control, Piedmont Community College Business Development Center, and any other office with space needs. Commissioner Hall stated that the Building and Grounds Committee suggests that this space allocation plan be brought before the Board at its next meeting for approval.

Commissioner Satterfield questioned where the Board of Elections would hold its one-stop voting if the large conference room was assigned to Piedmont Community College.

Commissioner Hall stated that after the Committee looked at the space, they felt that there was adequate room because there is also a small storage room in the back of the building. Commissioner Hall added that as far as the voting machines, they could be set up in the hallway when there is one-stop voting. Commissioner Hall noted that PCC would not be holding classes in the large conference room everyday. Commissioner Hall stated that space is scarce, and he did not feel that it would make good use of County space to allocate space to someone when they only need it one or two weeks out of the year.

Commissioner Hall noted that there is a component of this move that the Board will need to discuss because when the Board of Elections moves out of its current location at the Courthouse, this Board will need to make allocation of the space in the Courthouse.

#### REQUEST FOR SUPPORT OF REPLACEMENT OF YARBOROUGH'S MILL ROAD AND EGYPT ROAD BRIDGES

Commissioner Jefferies moved, seconded by Commissioner Travis that letters be sent from the Board of Commissioners to the North Carolina Department of Transportation, as well as Representative Faison and Senator Foriest, in support of the replacement of the bridges on the Yarborough's Mill Road and Egypt Road. The motion carried unanimously.

Commissioner Satterfield suggested that Commissioner Battle hand deliver a copy of the letter when he attends the next Transportation Advisory Board meeting.

#### RECESS

The Board held a brief recess.

#### COUNTY MANAGER'S REPORT

Mr. Kevin Howard, County Manager, requested that the Board release the Animal Control Supervisor and Animal Control Officer positions from the hiring freeze. Mr. Howard noted that he is requesting the release of both positions in the event that the current Animal Control Officer is promoted to Supervisor. After discussion, Commissioner Hall moved, seconded by Commissioner Travis to approve the release of the Animal Control Supervisor and Animal Control Officer positions from the hiring freeze. The motion carried unanimously.

Mr. Howard reported that this past summer the Board of Commissioners approved a request from the DEEDS Organization to apply for a planning grant for the former Dillard Middle School building. Mr. Howard stated that in discussions with Mr. Lionel Parker and Piedmont Community College, he felt that it would be good to invite a number of organizations that are involved with this project, as well as the Guilford Mills Building and other projects, to hold a planning session in order to avoid an overlap of grant applications. Mr. Howard added that the UNC School of Government has agreed to facilitate the meeting. Mr. Howard informed the Board that the groups identified that should attend the planning meeting are the Board of Commissioners, Board of Education, Piedmont Community College, Yanceyville Town Council, and DEEDS Organization. Chairman Ward directed the County Manager to move forward with the planning session.

Mr. Howard reported that the heating/air-conditioning unit in the basement of the Health Department needs to be replaced, and noted that it was installed in 1989. Mr. Howard stated that the outside section of the unit, if replaced by itself, may not work very well with the old interior section of the unit. Mr. Howard provided the following quotes to repair, replace the outside unit, and also to replace both sections simultaneously. Mr. Howard recommended replacing the entire unit due to the age and the fact that due to environmental regulations, R-22 refrigerant will no

longer be used, and that the Board approve the low bid from James Heating and Air in the amount of \$7,800.

Health Department Basement HVAC Bids

<u>Company</u>	<u>Repair</u>	<u>Partial Replacement</u>	<u>Full Replacement</u>
Angus	\$3,349.24		\$ 8,943.86
James	\$4,500.00		\$ 7,800.00
Brady			\$13,883.00
Superior	\$4,429.00	\$4,525.00	

Upon questioning from Commissioner Battle as to whether the full replacement units were energy efficient, Mr. Howard answered that they are energy efficient.

Commissioner Hall questioned why it was not included in the bid process to replace the duct work since it is 20 years old and added that quotes need to be obtained for this. Commissioner Hall stated that in the budget process, he stressed to the Board that monies needed to be appropriated in a Capital Improvements fund, but no allocations were made.

Upon questioning from Commissioner Satterfield, Mr. Charles Sams of Angus Heating & Air Conditioning answered that the duct work appeared to be in good shape.

After further discussion, Commissioner Jefferies moved, seconded by Commissioner Battle to approve the low bid submitted by James Heating and Air-Conditioning in the amount of \$7,800 to replace the heating/air-conditioning unit in the basement of the Health Department, to be appropriated from Lapsed Salaries in the Maintenance Department. The motion carried by a vote of six to one with Commissioner Travis voting no.

Mr. Howard reported that there are some major leaks under two of the heating/air-conditioning units on the roof of the Cooperative Extension Service building and presented the following quotes to repair the leaks.

Angus Heating and Air	\$ 986.52
James Heating and Air	\$1,985.00
Southern Air	\$2,470.00

Mr. Howard recommended awarding the project to the low bidder, Angus Heating and Air, in the amount of \$986.52.

After discussion, Commissioner Satterfield moved, seconded by Commissioner Jefferies to award the contract for roof repair of the Cooperative Extension Service building to the low bidder, Angus Heating and Air in the amount of \$986.52 to be appropriated from the Maintenance/Building budget. The motion carried unanimously.

Mr. Howard reported that the Pelham Industrial Park Water Project bid package should be going out sometime this month.

Mr. Howard reported that Excelsio Communications will be making a presentation to the Board on the Broadband Study sometime in January.

Mr. Howard reported that Mr. Joey Knight will come before the Board at its meeting in January to update them on the Matkins Meat Processors Golden Leaf Grant Project.

Mr. Howard reported that he will publish the Request for Proposals for the Detention Center next week and will give the architectural firms 30 days to respond, and selection of an architectural firm should occur at one of the Board's February meetings.

Mr. Howard reported that landscaping is in the process at the Senior Center and should be completed by the end of the year.

Commissioner Battle questioned whether County residents receive a discount at Matkins Meat Processors. Mr. Howard answered that County residents pay a one cent per pound maintenance fee, and out-of-county residents pay market rate.

Mr. Howard reported that he has submitted a request to the State for three firms to come to the County and assist in an Energy Efficiency Study and preparation of an Energy Efficiency Grant. Mr. Howard added that an informational meeting will be held on the Energy Efficiency Grant on January 6, 2010, at the Senior Center from 9:00 a.m. – 4:00 p.m.

Commissioner Carter questioned the County Manager as to whether he has inquired about possible stimulus funds that the County could receive since talking to Representative Faison and Senator Foriest at the Bright Leaf Hoedown. Mr. Howard answered that the County does not qualify for the stimulus funds that are left, except for the Energy Efficient Grant.

### ANNOUNCEMENTS

Upon questioning from Chairman Ward as to the County holiday schedule, Mr. Howard answered that County offices will be closed on December 24 and 25, 2009. The Board discussed its January meeting schedule.

After discussion, Chairman Ward moved, seconded by Commissioner Travis to cancel the Board of Commissioners' regular meeting of December 21, 2009. The motion carried unanimously.

Commissioner Carter moved, seconded by Commissioner Jefferies to hold one regular meeting in the month of January, 2010, to be held on Monday, January 11, 2010, and that the regular meetings of January 4 and 18, 2010 be cancelled. The motion carried unanimously.

Chairman Ward wished a Merry Christmas and Joyful New Year to the Board members and their families. Chairman Ward extended the same to all County employees and expressed his thanks to them for the jobs that they have done this year.

Chairman Ward asked that the Board continue to remember the Dodson family in their prayers through the holiday season and remembrance of Andy Dodson.

THE ADJOURNMENT

At 8:25 p.m. Commissioner Travis moved, seconded by Commissioner Hall to adjourn the meeting. The motion carried unanimously.

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Wanda P. Smith  
Clerk to the Board

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George W. Ward, Jr.  
Chairman

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